REMARKS

Claims 1-5, 7-18, 20-30 and 32-38 are pending in the application. Claims 1-2, 14-15, and 27 are the only independent claims.

Claims 1-5, 7-18, 20-30 and 32-38 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. 2002/0143648 (Nishimoto). Applicant respectfully traverses this rejection.

Among the limitations of independent claim 1 which are neither disclosed nor suggested by the art of record is the requirement for "accessing said account-subscriber table using the account name of said user terminal that is connected to the Internet service provider to **retrieve the subscriber line number** and then **certifying said user terminal that is connected to said Internet service provider through checking conditions of said subscriber line.**" (Emphasis added). The method as recited in independent claim 1 is not disclosed in the cited figures or the cited language of Nishimoto.

In Fig. 5, Nishimoto illustrates a "user database" that is searched and maintained by server 100, the database comprising records that contain an identification number of the mobile telephone, a user ID, a telephone number, name, address and mailing address in each record. In paragraph [0064], Nishimoto states that the "user ID is the information for specifying the user utilizing the online shopping in this online shopping system. The name and address are the same as those provided by the user when signing a contract for the mobile telephone line of the communication company. The identification number is information for identifying the hardware of mobile telephone 200, and is unrewritable." In other words, the identification number is a serial number for the mobile telephone hardware, likewise such as an IMEI, and is not the telephone number dialed to reach the subscriber.

The Office Action now cites Nishimoto at paragraphs [0012], [0014] and [0100] as disclosing the claimed limitations. At paragraphs [0012] and [0014], Nishimoto discloses an online shopping apparatus that receives either unrewritable identification information for the user's terminal, or the ESN (telephone number) of the user's mobile phone, and uses this information to look up the user's name and address. The user's name and address is stored in

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advance in a table, such as that disclosed in Fig. 5. The user's name and address, along with the ordered item information, is passed along to an online shopping dealer, who will in turn use the information to ship the ordered item. Nishimoto does not disclose the claimed limitation of "accessing said account-subscriber table using the account name of said user terminal . . . to retrieve the subscriber line number." Instead, Nishimoto discloses that the user's terminal either sends the subscriber line number itself, or an identifer for the mobile terminal, but does not disclose sending an account name. Further, the identifier is not used to look up the subscriber line number.

At paragraph [0100], Nishimoto discloses that "[w]hen server 100 receives the order data (FIG. 7) from mobile telephone 200 (YES in S100), server 100 reads out the user ID from the user database (FIG. 5) based on the *identification number* [for the mobile telephone] included in the received order database." *Id.* (Emphasis added). Here, Nishimoto does not disclose determining the subscriber line (telephone) number based on an account name, but instead teaches determining the user's name and address using the mobile handset's identification number. Nishimoto either teaches that, "If the user in question is already registered (YES in S104), the name and address of the user, who sent the order data, are read out from the user database (FIG. 5) based on the [mobile handset] *identification number* (S108). Server 100 prepares transfer data (FIG. 8) based on the read name and address of the user (S110), and sends the transfer data (FIG. 8) to computer 300 of the online shopping dealer (S112)." *Id.* (Emphasis added.) This quoted section of Nishimoto discloses transfer of name and address data to a computer of the online shopping dealer. Thus, the first limitation of the claim element, namely, looking up the subscriber line number in a table, is not taught by Nishimoto.

In addition, the second half of the claim limitation is also not taught by Nishimoto. Nishimoto does not disclose "certifying said user terminal that is connected to said Internet service provider through checking conditions of said subscriber line." No where within the cited portions of Nishimoto is there any teaching that the user line should be checked to certify the user is connected to the user's Internet service provider. Therefore, the method as recited in claim 1 is not taught or suggested in Nishimoto. In the absence of any disclosure or suggestion of these features of the claimed invention, independent claim 1 is allowable.

Independent claims 2, 14, 15 and 27 include the limitation of accessing "said account-subscriber table using the account name of said user terminal that is connected to the Internet service provider to retrieve the subscriber line number and then certifying said user terminal is connected to said Internet service provider through checking conditions of said subscriber line" as recited in claim 1, but for corresponding system, program and method claims. Therefore, claims 2, 14, 15 and 27 are allowable for at least the same reasons discussed above in connection with claim 1.

Dependent claims 3-5, 7-13, 16-18, 20-26, 28-30 and 32-38 depend from independent claims 1, 2, 14, 15 and 27, and incorporate by reference all of the limitations found in the independent claims from which they depend, and are also allowable for the same reasons discussed above. In addition, these dependent claims include further limitations which, in combination with the limitations incorporated by reference, are neither disclosed nor suggested by the prior art of record, and are therefore further allowable.

In view of the above, Applicant believes the pending application is in condition for allowance.

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